

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>July 11, 2019</u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u>2019-189-S</u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u>2019-507</u>

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

DOCKET NO. 2019-189-S - Application of JACABB Utilities, LLC for Approval of an Increase for Sewer Rates, Terms and Conditions - Staff Presents for Commission Consideration JACABB Utilities, LLC's Request for Waiver of Requirement for Documents Not Included in the Application.

COMMISSION ACTION:

JACABB Utilities, LLC is applying to supply water and sewer service for multi-family apartments in the Rosewood at Clemson Development being constructed in the City of Clemson. According to the Application, in order to provide these services JACABB is requesting to establish a sewer pass-through rate, an expansion of its authorized water service area to include certain portions of the City of Clemson, approval of a pass-through charge for sewer and stormwater fees, and approval of the Water System and Sanitary Sewerage Asset Purchase Agreement with Triangle Real Estate.

Although normally filed at the time of application, JACABB requests that it instead be allowed to submit the following items "when received," and therefore requests temporary waiver of the following filing requirements:

- a. The construction permit from the South Carolina Department of Health and Environmental Control approving the engineering plans and specifications,
- b. Statement by a professional engineer that the system was built and installed according to plans and specifications on file with the commission and will furnish adequate service for the area to be served, and
- c. A letter from the South Carolina Department of Health and Environmental Control approving the system for operation.

JACABB states that the waivers are necessary to comply with the Developer's schedule for having the apartments ready for student housing. JACABB explains that the construction permit application has been completed and submitted to the City of Clemson for their review. Upon the City's approval, the construction permit application will further be submitted to SC DHEC for issuance of the permit. The utility maintains that it will submit these items to the Commission as soon as they are received.

JACABB further requests waiver of filing the "Applicant's articles of incorporation, appropriate bond and a copy of the bill form" as these items "are already on file with the Commission."

After review, I move that we grant the Applicant's request for temporary waiver of the DHEC and engineering documents with the following limitations. I do so because the Company has communicated a time-sensitive need. However, there are important considerations for applications to be complete when filed so that the Commission and interested stakeholders may timely and properly evaluate a case. Therefore, I move that we conditionally accept the Application and grant a temporary waiver only until August 12, 2019, for the filing of the DHEC and engineering documents. If the documents are not available by that time, JACABB shall have its Application dismissed without prejudice.

Regarding the requested waiver of filing the "Applicant's articles of incorporation, appropriate bond and a copy of the bill form," I move that we grant the request with the understanding that the appropriateness and sufficiency of the Company's current financial security in light of this proposed expansion is not being ruled upon by the granting of this waiver request. Further, I move that the question of appropriateness and sufficiency be reserved and explored as part of this Commission's evaluation of the Application.

Finally, Applicant, as an LLC, cannot be represented *pro se*, and must have legal counsel appear and represent it in order to pursue this Application further.

PRESIDING: Randall

SESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
BELSER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ERVIN	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

(SEAL)

RECORDED BY: J. Schmieding

